
 <p style="text-align: center;">WEST VIRGINIA DIVISION OF JUVENILE SERVICES</p>		<u>POLICY NUMBER:</u> 	<u>PAGES:</u> <p style="text-align: center;">5</p>
<u>CHAPTER:</u> Administration and Management	<u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §§ 49-5-16a and 49-5E-1 et seq.; ACA 3-JTS-1C-08 thru 1C-11; ACA 3-JDF-1C-06 thru 1C-09; ACA 3-JCRF-1C-08/09; Prison Rape Elimination Act (PREA) of 2012, §115.317		
<u>SUBJECT:</u> Competitive Promotion of Correctional Officer Personnel			
<u>DATE:</u> July 1, 2014			

POLICY

This policy is to establish guidelines for the posting of promotion positions, selection process and selection (filling) of such positions within the Division of Juvenile Services and to ensure that every qualified candidate is afforded an equal opportunity to apply and be considered based on the established written criteria. This policy does not apply to selection of Correctional Officer I's and II's.

CANCELLATION

This policy has been reviewed and supersedes Policy 132.00 dated October 1, 2013.

APPLICABILITY

This Policy applies to all Division of Juvenile Services' employees.

DEFINITIONS

1. **Class or Class of Positions:** One or more positions sufficiently similar in duties, training, experience and responsibilities, as determined by specifications, that the same title, the same qualifications, and the same schedule of compensation and benefits may equitably be applied to each position in the class.
2. **Minimum Qualifications:** The least experience and/or training required by the State Personnel Board for employment in a class of position and admission to an examination for that class of position.
3. **Working days:** Regular weekdays (Monday through Friday) excluding state-observed holidays.

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PROCEDURES

1. The selection process for competitive promotion of correctional officers is as follows:
 - a. Posting of position
 - b. Application submitted
 - c. Background check conducted (non-DJS applicants)
 - d. Promotion Examination is administered
 - e. Test graded
 - f. Interview conducted
 - g. Recommendation from interview team submitted to Facility Superintendent/Director
 - h. Recommendation from Facility Superintendent/Director to Division Director
2. Non-DJS applicants applying for positions covered by this policy shall be subject to criminal background investigation through NCIC by Central Office personnel.
3. The results of the criminal background investigation of candidates who are current state employees may be made available to other state agencies.
4. All personnel are selected and promoted on the basis of merit and specified qualifications. All applicants receive credit for prior training and, if specified in the job posting, related experience and education can substitute for position qualifications.
5. The agency shall consider any incidents of substantiated sexual harassment in determining whether to promote anyone.
6. It is the Division's policy to promote both from within the division and to introduce qualified new employees for all positions into the division. When deficiencies exist regarding the employment of minority groups and women, the facility can document the implementation of an affirmative action program.
7. **Posting of Vacant Promotional Positions** - Upon the written approval of the Divisions' Human Resources Director, the Facility Director/Superintendent or Designee shall authorize the posting of one or more classified (job openings) positions for a period of ten (10) calendar days prior to the promotion process. Such posting shall be posted throughout the agency in conspicuous places where all employees have access.
8. **Development of Examinations**
 - a. The Director of Training will develop and recommend written examinations for each class or class of positions, which will be finalized and approved by the Division

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Director or his or her designee.

- b. Facility Superintendents/Directors shall have an opportunity to have input as to the context of all examinations.
- c. Examinations shall be structured using multiple-choice questions with at least four (4) answer options, with only one of the options being the correct answer.

9. **Administration of Examinations**

- a. Each Facility Superintendent/Director shall request the appropriate exam from the Director of Training for each approved posted position.
- b. Exams will be sent from the Director of Training or designee to the Facility Superintendent/Director via email.
- c. Promotional examinations shall be open to all candidates possessing the minimum qualifications as stated on the job posting.
- d. Notice of Promotional Examination shall be posted by the Facility Superintendent/Director ten (10) working days prior to the examination being administered.
- e. Exams will be administered at each facility by a Training Department designee either on site or via videoconferencing. A designee chosen by the Facility Superintendent/Director will monitor the exam at the facility if administered by videoconferencing.
- f. Completed exams shall be returned confidentially to the Director of Training for scoring via United State mail or hand delivery.
- g. All promotional examinations shall be rated using an accumulative numeric score. The minimum passing score is seventy (70). Scoring results will be communicated to the sending facility's Superintendent/Director within five (5) working days.
- h. Any applicant with a passing score can then proceed to the next level of the promotional process.
- i. Any applicant who fails the examination will be ineligible for that position and will not be allowed to retake the same examination until another open position has been posted.

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- j. Any applicant who has tested and passed the examination within one (1) year will not be required to retake the examination for the same position.

10. **Reasonable Accommodations** – It is the responsibility of the promotional applicant or employee to make his/her request for reasonable accommodation due to known physical and/or mental impairments or disability either verbally or in writing to the Facility Superintendent/Director at least twenty-four hours in advance of scheduled interview or participation in any part herein.

11. **Selection Process**

- a. Only candidates with a minimum score of seventy (70) on the Promotional examination shall be permitted to continue in the selection process. The examination score shall be made available to the Facility Superintendent/Director.
- b. Employee disciplinary actions such as suspension or demotion and substantiated charges of EEO discrimination/harassment claims shall deem the employee ineligible to apply or be promoted for a period of one (1) year after the date of the disciplinary action letter. A written reprimand shall deem the employee ineligible for a period of six (6) months after the date of the disciplinary action letter.
- c. The Facility Director/Superintendent shall assemble a three-member interview group to include no more than one representative from the facility, a representative from the Division's Central Office and an additional Division representative. Individuals serving from the facility of the vacancy shall be of an equal or higher rank of the vacant position rank. Notification of the interview team must be forwarded to the Division's Human Resources Director prior to the interviews.
- d. The selection process shall consist of:
 - i. **Practical Exercise:** an analysis of writing abilities and skills (10 points maximum);
 - ii. **Oral Interview:** a session before the three-member interview group, answering pre-established questions specific to the agency and job classification (50 points maximum);
 - iii. **Facility Superintendent/Director recommendation:** (20) points maximum, which shall be added in only after the interview group has completed its work; may include, but not limited to, prior disciplinary actions, rapport with residents and coworkers, leadership skills, physical agility test, attendance record, job evaluations, education and work experience, if applying from

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another facility, may include input from the applicant's current facility administrator.

- e. The interview group shall review all documentation prepared on each candidate to ensure the accuracy and completeness of the process and validity of the scoring.
 - f. The Chairperson shall correlate all documents to be submitted to the Facility Director/Superintendent for his/her selection recommendation to the Director or Designee.
 - g. The Facility Director/Superintendent shall submit a memorandum indicating the recommendation for the appointment with justification to the Division Director or Designee.
12. **Record Keeping:** All applications, examination results, interview documents, background investigation reports shall be handled in accordance with established West Virginia Division of Personnel policies and West Virginia Code.
13. This policy will be adopted in its entirety and the facility will not create an operational procedure.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:



Director

7/1/14

Date